

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Devaunte Levi Todd Hardnett

Docket No. 5:20-CR-57-1M

Petition for Action on Supervised Release

COMES NOW Michael W. Dilda, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Devaunte Levi Todd Hardnett, who, upon an earlier plea of guilty to Possession of a Firearm by a Felon, 18 U.S.C. § 922(g)(1) and 18 U.S.C. § 924(a)(2), was sentenced by the Honorable Richard E. Myers II, Chief United States District Judge, on October 21, 2020, to the custody of the Bureau of Prisons for a term of 18 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 3 years.

Devaunte Levi Todd Hardnett was released from custody on May 13, 2021, at which time the term of supervised release commenced. On May 12, 2022, a Revocation Hearing was held after the defendant was arrested for new criminal conduct in Wayne County, North Carolina. On May 16, 2022, a subsequent Judgment was filed that revoked supervision and Hardnett was sentenced to time served (6 months custody), to be followed by supervised release under the original term and conditions.

A Violation Report was filed on December 16, 2022, after the defendant tested positive for marijuana on November 30, 2022, and was in arrears with his financial obligation. The court agreed with the probation officer to continue supervision to allow Hardnett to return to substance abuse counseling.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On July 17, 2023, the defendant was confronted by the probation officer regarding an unserved warrant from North Myrtle Beach Police Department in South Carolina, for misdemeanor Domestic Violence, 3rd Degree, which occurred on May 21, 2023. Hardnett denied the offense and reported he was not present in South Carolina as alleged in the warrant. Contact with South Carolina authorities confirmed the defendant or assailant was not present when they arrived on the scene and the female victim was initially uncooperative and intoxicated, but subsequently identified Hardnett as the assailant. Authorities further noted the warrant, which remains unserved, is non-extraditable and based upon the testimony of the victim.

On a separate occasion, Hardnett acknowledged he was in Charlotte, North Carolina, on July 14, 2023, helping a family member. The defendant was verbally reprimanded for being out of the district without permission from the probation officer and apologized for his actions.

Also on July 17, 2023, the defendant provided a urine sample that tested positive for marijuana. Hardnett admitted he last used marijuana on July 5, 2023, apologized for his actions, and signed an admission report documenting the same. The defendant agreed to continue substance abuse counseling. To address the above-noted violation conduct, it is respectfully recommended that Hardnett participate in a cognitive behavioral program as directed by the probation officer. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate in a cognitive behavioral program as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

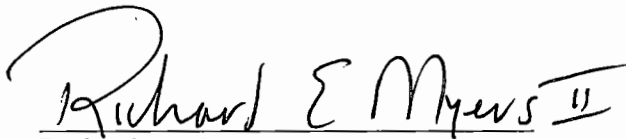
I declare under penalty of perjury that the foregoing
is true and correct.

/s/ C. Lee Meeks, Jr.
C. Lee Meeks, Jr.
Supervising U.S. Probation Officer

/s/ Michael W. Dilda
Michael W. Dilda
U.S. Probation Officer
150 Reade Circle
Greenville, NC 27858-1137
Phone: 252-830-2342
Executed On: August 1, 2023

ORDER OF THE COURT

Considered and ordered this 3^d day of August, 2023, and ordered filed and
made a part of the records in the above case.


Richard E. Myers II
Chief United States District Judge